SUIT AGAINST THIS PAPER

Brought on Account of the Publication Recently

OF A NEWS ITEM REGARDING THE KILLING OF A CHILD AT ST. PAUL—DAMAGE TO REPUTATION OF PLAINTIFF IS ALLEGED.

A few days ago the Statesman Publishing Co. was informed that a complaint had been prepared in a contemplated action for damages, for publications, as alleged, reflecting upon the character of Mrs. Combest, in the issues of the Daily Oregon Statesman of April 1 and 11, 1902. It was stated that the complaint was prepared and ready for filing, "but as a matter of courtesy" a communication was sent to the Statesman notifying this office of the fact before proceeding further.

In answer to this, the manager of the Statesman offered to allow Mrs. Combest or her friends to make any statements they might wish in order to show to the public in the columns of the Statesman their explanation of the unfortunate affair, or to write these statements himself and publish them in this paper, freely and without charge. He also asked for a chance to see Mrs. Combest and talk over the matter with her and get her statements for publication, in order to remedy any injustice that may have been done her, if at all, by the former publication, by giving the same publicity to the explanation that was given to the original reports complained of. But this was refused.

Following up these refusals, a suit was filed late yesterday afternoon in department No. 1 of the Circuit Court, entitled "Louisa Ellen Combest, plaintiff, vs. Statesman Publishing Co., defendant."

This complaint charges the Statesman with damaging Mrs. Combest "in her good name and reputation" in the sum of five thousand dollars, three thousand for the report of April 1st, and two thousand for the report of April 11th.

The report in the Statesman on those dates were concerning the killing near St. Paul, Marion county, of Clara Wilson, aged 20 months, by Lloyd Combest, aged 10 years, a son of Mrs. Combest, the plaintiff, which was investigated by a coroner's jury at the time The report in the Statesman concerning the affair was substantially the same as was published in the other newspapers of this part of the state, and the Associated Press newspapers elsewhere.

The reporter of the Statesman who collected the material for the report had no animus in the matter. He was not acquainted with Mrs. Combest and has never yet seen her. The manager of the Statesman has never seen her and does not know her, and certainly had and has no desire to do her any injury.

In fact, the matter was treated at the time merely in the nature of a news item, as other news items are treated; and nothing more was thought of it. If Mrs. Combest really desired nothing more than to have the alleged damages to her good name and reputation repaired, she would have accepted the offer of the Statesman to make any corrections that were deemed essential. The Statesman is a public newspaper, and, while the duty of collecting and publishing the news devolves upon it as such, it has no public or private enemies in any walk of life to punish, and its columns are open at all times to any one who thinks he or she is injured by anything appearing in its columns. And every effort was put forth to make this fact plain to Mrs. Combest, through her attorney, before the commencement of this very unjust, and uncalled for suit for damages.

The attorney for Mrs. Combest is M. E. Pogue.

PICNIC AT CHAMPOEG

A GOODSIZED GATHERING ENJOYED YESTERDAY AT THAT HISTORIC SPOT.

Champoeg, the historic spot where over a half a century ago the provisional Government was organized, and where a year ago yesterday a monument was unveiled to mark the site of the scene of the first effort at organized Government in Oregon, was yesterday visited by many hundreds of people from that section of Marion county, the occasion being a picnic under the auspices of the F. X. Matthien Cabin, Native Sons of Oregon. A most enjoyable day was spent. Governor Geer presided at the formal meeting, and a number of pleasing addresses were made. Governor Geer, Frank Davey and J. A. Jeffrey, of this city, were among those addressing the large crowd. George H. Hines, of Portland, was one of the notables there.

The people of that section desire to see the monument, erected last year, improved upon, and will ask the Legislature to secure 30 or 40 acres of land at that point for a state park, this tract to take in the monument site, when they want the monument raised, or one erected 30 or 35 feet high. Their plan is a laudable one, but in order to secure any such action it is likely that the owners of the land will be expected to donate the land required, before asking the state to spend money there, as the creation of a fine park would enhance the value of the lands surrounding the monument, sufficient to repay them for the property donated. When that is done, the state may consider the matter of permanently marking, by an imposing monument, the place of the birth of the Government of Oregon.

NEWBERG'S COAL MINE

A SEVEN-FOOT VEIN FOUND IN THE PROSPECT IN YAMHILL COUNTY.

The Yamhill County Coal & Oil Company will soon be in position to furnish cheap coal to Portland consumers, according to T. C. Cooper, of Newberg, who is in the city today, said the Portland Telegram, last evening.

"We are down 75 feet," he said, "and we have already pierced a seven-foot vein of good coal and we will probably strike another before the auger reaches the 375-foot level.

"That there is good coal underlying the Willamette valley is already an established fact, while oil has also been found both in our well and in the one being sunk near Monmouth. The sand pump in our well brings up traces of crude pretroleum every time the implement comes to the surface to be cleaned."

Mr. Cooper thinks the coal can be placed on board the cars at the mine for $4 per ton, and as it is of goodquality for blacksmithing and cooking, this figure will open up a good market for it in the metropolis.

"We are only five miles from the railroad," he said, "and the Southern Pacific Company will build a line to our mine whenever we want them to. We have been hampered for money, however, and must depend upon the sales of stock for funds to promote the work. We have already expended $15,000 on development, and expect to put in $50,000 more before we put the first trainload of coal on the Portland market.

"The site of the mine is a wooded knoll, and w can run t tunnel in on a deal level, following the vein of coal from the surface. The prospecting is being done with a drill from the top of the knoll."

POLITICS IN OLD MARION

Republican Ranks Are Lining Up for the Coming Battle

THE ENTHUSIASM IS GROWING AND THE OLD-TIME MAJORITY FOR THE TICKET OF THE PARTY OF BUSINESS IS EXPECTED—TO RECEIVE FURNISH.

Politics are livening up a little in Marion county, as the day of election is drawing nearer, and the reports reaching the Republican headquarters in this city, from every precinct in the county, are very satisfactory, and show, more and more, that Republicans are getting into line for an aggressive fight for the ticket. All factional differences—if there were any serious differences—have been buried, the little bitternesses always following a convention where several forces are striving for control, have disappeared as snow before the summer's sun, and the Republicans are standing shoulder to shoulder against the common enemy, knowing only one party, and one slogan—Republican success.

The reports from the precincts of Marion county, from far and near, are that the enthusiasm among Republicans is increasing, and that the old time Republican majorities will be reported from all points. Especially pleased are the members of the party everywhere in this county, with the filing of the petitions for placing Gov. T. T. Geer's name on the official ballot for United States Senator, and the enthusiasm for the success of the entire ticket is correspondingly increased.

Several members of the Republican Legislative and county ticket have made visits to various sections of the county, and they report a very satisfactory feeling everywhere, with the indications the very best for the success of the entire ticket.

The Young Men's Republican Club will hold a regular meeting in the police court room of the city hall tomorrow, Monday, evening, at 7:30 o'clock, and this promises to be a very important gathering in many respects. The Club now has a membership of about 300 and it is hoped that it will be increased to 500 in the near future.

Extensive plans are now under way for the Club to co-operate with the Salem Republican Club in making arrangements for a grand reception of Hon. W. J. Furnish and Hon. C. W. Fulton upon the occasion of their visit to this city. Although no definite date has been set for their appearance here they are expected to arrive on the 9th or 10th of this month, and preparations are being made to make a great demonstration. At least two bands will be engaged to discourse the music; there will be a parade composed of flambeau brigades, red light brigades, and fire-works galore.

This matter will be brought up and discussed by the Club during the fore part of the meeting and committees appointed to make all arrangements and, after the business part of the meeting the Club will be addressed by Hon. Claud Gatch, Frank Davey, Thos. Kay and others, and the meeting promises to be a most interesting one and no one can afford to miss it.

THE CAUSE.

Physician—"This is the worst case of indigestion I ever saw."

Patient—"Impossible, doctor! I haven't eaten anything but health-foods for the last six months."—Life.

IN SIX ROUNDS.

LOUISVILLE, Ky., May 2.—Joseph Choynsky knocked out Al Weining in the sixth round.

NEW CIRCUIT COURT CASE

In the Gilbert Bank Litigation Attracts Some Attention

RECEIVER CLAUD GATCH MAKES ANSWER TO C. A. WHALE'S PETITION—WANTS THE PIANO CONTRACT SHOWN UP IN COURT AND ITS TERMS MADE KNOWN.

There is a new case in department No. 2 of the Circuit Court, (Judge Boise's department) arising out of the business relations of C. A. Whale and A. T. Gilbert, or Gilbert Bros. It appears that Mr Gilbert was in the habit of buying organs and pianos and selling them to Mr. Whale at a certain price, Mr. Whale taking them and selling them to the public at a higher price, generally on time. For instance, Mr. Gilbert would sell to Mr. Whale a piano for $200. Mr. Whale would take the same piano and sell it for $400, receiving therefore a note, payable in monthly installments. He would turn this note in to Mr. Gilbert, receiving his part of the consideration in cash. It seems that Mr. Whale has contended that he had a right to continue the same arrangement under the receivership but some of the creditors of Gilbert Bros. object to this. It seems that the agreement between Mr. Whale and Mr. Gilbert has not been reduced to writing. It has been a verbal agreement.

In answer to the new suit or petition of C. A. Whale, the receiver, Claud Gatch, says in conclusion:

"Wherefore this receiver prays that the court require said C. A. Whale and A. T. Gilbert to appear in this cause and show what the terms of said contract between them are, and that the court take testimony and determine the terms of said contract, and make a decree establishing and defining the terms thereof, and prays this court for an accounting between said C. A. Whale and this receiver concerning the property and assets, and his indebtedness to the said Gilbert Bros.

"That upon the determining by this court of the terms of said contract and upon said accounting being had, that this court so modify the said decrees entered herein on the 23d day of December, 1901, and March 3, 1902, that the interests of this receiver and the creditors of Gilbert Bros. may be fully protected; and that the court direct this receiver as to his duties with reference to the said contract and dealings with the said Whale; and for such other and further relief as to the court may seem meet."

The State of Oregon, by the Board of Trustees for the State Reform School, yesterday begun suit in the first department of the State Circuit Court against the Fire Association of Philadelphia, demanding judgment against the defendant in the sum of $1982 and the costs and disbursements of the action.

The plaintiff alleges that the plaintiff held insurance upon the Reform School in the defendant company in the sum of $1000. That on the morning of December 18, 1901, the industrial department of said institution was destroyed by fire and that the total damage to the institution, including the damages to the electric and steam heating apparatus and fixtures and water system, was $16,865. That a statement of the loss was submitted to the defendant but the defendant only paid its share of the damage incurred upon the main building ($400) amounting to $18 and the plaintiff seeks to recover the balance of the amount of the policy.

FOR CHEMAWA SCHOOL

APPROPRIATION MADE TO ERECT A BRICK DORMITORY AT THAT PLACE.

Supt. T. W. Potter, of the Chemawa Indian Training School, has received good news, in the shape of a telegram from Hon. John H. Mitchell, United States Senator, to the effect that the Congress has passed a bill appropriating $25,000 for a brick dormitory at Chemawa. The telegram received by Mr. Potter is as follows:

"Hon. T. W. Potter, Superintendent Indian Training School, Chemawa, Oregon:

"The Senate item of thirty thousand dollars for brick dormitory at Chemawa has been changed by conference committee to twenty-five thousand, so this amount will be appropriated for the new brick dormitory. It was agreed to today in conference.

"JOHN H. MITCHELL."

The appropriation of this amount for the new dormitory, to be erected at Chemawa in addition to the large number of buildings already there or in course of construction, will be an important increase for that school, and a valuable addition to one of Salem's excellent schools.

THE LADIES' AUXILIARY

OF THE Y. M. C. A. WILL MEET IN THE ASSOCIATION ROOMS ON TUESDAY.

The regular monthly meeting of the Y. M. C. A will be held at the parlors in the Y. M. C. A. building on Tuesday afternoon, May 6th, at 2:30. The following will be the program:

"Settlement of Jamestown,"..... .....Mrs. Clara Atwood
"Purposes in Coming to the New World,"..... .....Mrs. Rizer
Music .....
Recitation.....
..... Miss Marie Vandersal

HORSES RAN AWAY.

EXCITING DAY FOR THE DRIVER OF A CREAMERY DELIVERY WAGON.

The Salem Creamery Co.'s delivery team ran away twice yesterday doing considerable damage to the wagon and bruising the driver, W. F. Marsh up to a considerable extent. hTe first run took place early in the morning as Mr. Marsh was hitching the team at G. D. Goodhue's place on Winter street. One of the horses took a frantic turn, knocked Mr. Marsh down and trampled upon him, then the team started to run and pulled the delivery wagon over the prostrate form of the driver. The team ran to the H. A. Thomas place, 381 Mill street, where, in jumping over the garden wall, the wagon caught fast and the team was forced to stop.

About 3 o'clock yesterday afternoon while Mr. Marsh was having some repairs made to the harness at F. E. Shafer's shop on Commercial street, the team became frightened again and started to run and again knocked Mr. Marsh down. This break did not result so disastrously as the other, but in all his experience during the day Mr. Marsh received two or three scalp wounds and his left arm was injured, but not to any serious extent.

COOL GARDEN SPOTS.

A glacier, when it dislodges itself and sails away over the Arctic ocean, never travels alone. In the wake of every large one floats a line of smaller companions. The Eskimos call this phenomenon "the duck and ducklings," and any one who has watched the progress of the elder duck followed by her brood will appreciate the aptitude of the name. Strange as it may seem, plants grow and blossom upon these great ice mountains. When a glacier is at rest moss attaches itself to it, protecting the ice beneath, just as sawdust does. After a time the moss decays and forms a soil, in which the seeds of buttercups and dandelions, brought by the wind, take root and flourish. Those who have travelled in Arctic lands say they have found no point yet where the poppy does not bloom during the brief northern summer.

YOUNG MEN'S CLUB MEETS

Republicans Were Out in Full Force Last Night.

INTERESTING AND ENTHUSIASTIC ADDRESSES WERE MADE BY CLAUD GATCH, FRANK DAVEY, E. M. CROISAN, THOS. B. KAY AND SQUIRE FARRAR.

The police court room of the city hall was filled to overflowing last evening, the occasion being the meeting of the Young Men's Republican Club. The Salem Military Band was engaged and discoursed excellent music which, taken together with the fact that the meeting was to be favored with addresses from such prominent and eloquent speakers as Hon. Claud Gatch, Frank Davey, Thos. B. Kay, and others, was to a great extent responsible for the large representation of the Club's membership and a fair representation of the elder generation of voters.

The fore part of the meeting was devoted to the transaction of some business before the Club. In view of the visit of Hon. W. J. Furnish and Hon. C. W. Fulton to this city, in the near future, it was decided to co-operate with the Salem Republican Club in the reception of these distinguished visitors. A motion that committees be appointed to organize flambeau and cymbal brigades for the occasion to participate in the parade and other demonstrtions, was carried, and the president later in the evening, appointed upon the flambeau committee W. E. Richardson, J. L. Patton, Peter Graber and Fred Fontaine, and on the committee to organize the cymbal brigade, C. A. Bort, J. H. Campbell, Jr., W. H. Evans and E. H. Lamport.

The following committee was also appointed, upon motion, to arrange for a program for the next regular meeting of the Club to be held on Monday evening, May 12th: C. Inman, C. L. McNary and Dr. H. C. Epley.

At the conclusion of the business meeting the president introduced Hon. Claud Gatch and his appearance was received with great applause by the meeting. Mr. Gatch held the undivided attention of the meeting for one half hour by one of the most eloquent addresses which has ever been delivered before a Salem audience, and in his usual excellent manner bringing out in a very convincing and impressive style a number of the strongest points of Republican principles, glowing tributes to such champions of those principles as Washington and Lincoln, and many beautiful tributes to the party and its glorious victories all of which were well received and emphasized by applause. In conclusion he paid a beautiful tribute to Hon. W. J. Furnish, the standard bearer of the Republican party, in illustrating his strong principles for right which were manifested in his desertion of the Democratic party and his coming to the relief of the Republicans at a time when the country was threatened with free silver and eventual ruin.

During the balance of the evening the meeting was very agreeably entertained by very interesting addresses by Frank Davey, Squire Farrar, E. M. Croisan and Thos. B. Kay, all of whom were accorded flattering attention and received generous demonstrations of the appreciation of the audience.

A. C. Palmer, an attorney from Prineville, Crook county, was a Salem visitor yesterday, and in conversation with a representative of the Statesman, he stated that the Republican ticket in Crook county would have the undivided support of the Republicans, there being absolutely no evidence of defection. Regarding the candidacy of Hon. J. N. Williamson, the Second District candidate for Congress, Mr. Palmer said, that he would run far ahead of his ticket, and that many Democrats in that county would support him at the polls.

EDITORS IN JAPAN.

When Marquis Ito formed his last cabinet Mr. Hare, editor of the Osaka Mainichi, became Minister of Communications, and filled the important post with great credit. In Tokio we have several papers of great political power, which are edited by men of the highest standing in society. Mr. Shimada, editor of the Tokio Mainichi is a member of the House of Representatives, and known throughout the empire as one of the best writers and thinkers. He is one of the few Japanese editors who have embraced the Christian religion. Mr. Tokutomi, of the Kokumin, held a most important post for a number of years in the Home Office. Mr. Asahina of the Nichi Nichi is our great Russian scholar and in close touch with the government. He is now traveling in that country for the purpose of studying the individual situation.

Greatest of all Japanese editors, perhaps, was Mr. Fukusawa, who died last year. He was the Dr. Arnold of Japan, the great educator. No man has done more than he did to advance civilization there. His second son has succeeded him in the direction of the Jiji Shimpo, which has a large circulation in financial circles. The Japanese newspaper can say almost anything he pleases in his columns to-day, taking care, of course, not to print libellous matter. Ten years ago the government censorship of the press was abolished and few editors have been in trouble with the government since that step was taken. Our people place even more trust in newspaper statements than do Americans, which is a factor in the great power of the Japanese press.—St. James Gazette.

BLASTS FROM RAM'S HORN.

No perfection without pain.
Proficiency needs no parade.
A parasite makes a poor partner.
A hard heart is apt to be brittle.
Fear and doubt give God the lie.
He works best who worries least.
Love flows over the lines of liking.
Service is the first sign of freedom.
A blessing abused becomes a bane.
Pisgah is always a hard hill to climb.
Faith alone lifts the fog of the future.
Endeavor counts for more than essays.
Brightest hopes dawn on darkest days.
The vision of God gives right views of all things.
The dove of promise comes in response to prayer.
The greatest fault of all is to be conscious of no fault.
It does not make heaven a fact to call earth a fiction.
Straight running makes better speed than the swiftest circling.
The greater a man's treasure the less he complains of his taxes.
No amount of pruning ever made peaches grow on fence posts.
The heavenly man does not need to write "Holiness" on his brow.
When grain ripens by moonlight the soul will be saved by culture.
A man's business is a curse when he is too busy to stop to do good.
The more we look up the less we need to look out for ourselves.
Pride and ignorance are the babes that help one another to get lost.
The religion that does not reach character does not rise with Christ.
You cannot sop up the sins of the week with a solemn face on Sunday.
You cannot take God by one hand unless you take your brother by the other.
The Christian who fears to be spent for Christ is a candle unwilling to be lighted.
Men and women who are for the external are frequently not at all for the internal.

There is no better way of summing up President Roosevelt's outdoor life than to say that to be truly and literally a recreation for him it must be done with a strain.—Ladies' Home Journal.

A child's mind is like a shallow brook which ripples and dances merrily over the stony course of its education and reflects here a flower, thre a bush, yonder a fleecy cloud.—Ladies' Home Journal.

Cultivate your conversational powers, but especially try to be a good listener. To draw people out by gentle and judicious questioning is sometimes the highest art.—Ladies' Home Journal.

Remember that you will never gain, but always lose, by being afraid to do the thing that seems to you right, by following the crowd, without cultivating your own individuality.—Ladies' Home Journal.

Though we scoff at snobbishness, we are gregarious animals, loving the society of our fellow-man, and it is also natural to wish for the privilege of being received as equals among the class of people to which we feel we rightfully belong.—Ladies' Home Journal.

REPORT FOR LAST MONTH

Board of Trustees for the Insane Asylum in Session:

CONDITIONS AT THAT INSITUTION AS SHOWN BY SUPT. J. F. CALBREATH — STATISTICS OF PATIENTS CARED FOR DURING APRIL—HOSPITAL COST.

The Board of Trustees for the State Insane Asylum held its regular monthly business meeting at the Capitol yesterday. Supt. J. F. Calbreath was present and submitted his report for the month of April, and it was received and audited by the Board. In his letter of transmittel the superintendent says of the conditions of that institution:

"The genral health of the inmates of the institution for the month of April has been comparatively good. The population for the month has averaged 1247; the number of patients received, 37; the number dicharged, 17; the number deceased, 10.

"The work in the department has consisted mostly of repairs on the older buildings, and much more of this kind of work will be required. The farm and garden work is well up with the season.

"The stock is in good condition, the herd of milch cows is looking well and is in fine health, but the amount of milk seems to be small in proportion to number of cows milked; and, as good milk is one of the most important articles of diet for the sick and feeble I would suggest for your consideration the advisability of employing a thorough and experienced dairyman."

The statistical report of the Asylum for the month, showing the number of patients received, discharged, died, and eloped, during April, is as follows:

	Male.	Female	Total.
No. patients March 31	863	378	1241
No. received during April	26	11	37
No. under care	889	389	1278
No. discharged, recovered	5	6	11
No. dis. much improved	1	1	2
No. dis. improved	1	1	1
No. discharged, not improved	2	1	3
No. died	6	4	10
Discharged, died, eloped	14	13	27
No. patients remaining April 30th	875	376	1251

Average No. daily, 1247 27-30.

The number of persons, officers, employes and patients fed and lodged in the Oregon Asylum during the month are:

No. officers and employes	150
Average No. patients, daily	1247
Total	1397

The average monthly and daily expenses of the Asylum were: Per capita, monthly, $9.52 8-10; per capita, daily, 31 76-100.

The cost of supplies for the Asylum was apportioned among the several departments as follows:

Kitchen and dining rooms	$2502 39
Male department	568 16
Female department	399 92
Bakery	368 53
Laundry	43 85
Engine room	307 27
Farm, garden and dairy	56 19
Stable	9 97
Drug store	200 00
Sewing room	222 38
Center building	64 20
Office	17 27
West Cottage	3 33
East Cottage	6 33
Stanley farm	1148 46
Expense	53 98
Infirmary	128 85
Carpenter shop	5 45
Factory	100 78
Tailor shop	96 42
Total	$6583 09

Legal Blanks at Statesman Job Office